



SECRETARY OF STATE
KEVIN SHELLEY
STATE OF CALIFORNIA

February 13, 2004

Robert J. Urosevich
President, Diebold Election Systems
Attn: Marvin Singleton
1611 Wilmeth Road
McKinney, Texas 75069

Dear Mr. Urosevich:

On January 8, 2004 you provided our office with a request seeking the conditional certification of Diebold Election Systems' Precinct Control Manager (PCM) 100 and 500 series voting card encoder units.

As you know, staff from the Secretary of State's office, as well as the state's technical consultant, traveled to McKinney, Texas last week to review and test several Diebold products. While you have demonstrated these devices to our staff and our technical consultant, the PCM 100 and 500 have not been reviewed and tested by an Independent Testing Authority (ITA). In fact, Wyle Laboratories issued an opinion that these items would need to be reviewed by them. Once both products have passed federal testing I encourage you to resubmit the items for consideration for certification. Please note that these items are not certified for use in California and therefore cannot be used for an election in California.

Sincerely,

MARK L. KYLE
Undersecretary of State
Chair, Voting Systems and Procedures Panel

JOHN MOTT-SMITH
Chief, Elections Division
Member, Voting Systems and Procedures Panel